

REMARKS

The Office Action of September 20, 2006, has been received and reviewed.

Claims 1-23 are currently pending and under consideration in the above-referenced application, each standing rejected.

Reconsideration of the above-referenced application is respectfully requested.

Claim Amendment

Claim 6 has been amended to delete an erroneous occurrence of the term “the.” This deletion merely corrects a typographical error, and does not limit the scope of claim 6 of any other claim that remains pending in the above-referenced application.

Rejections under 35 U.S.C. § 102

Claims 1-23 have been rejected under 35 U.S.C. § 102(b) for reciting subject matter that is allegedly anticipated by the subject matter described in U.S. Patent 5,988,862 to Kacyra et al (hereinafter “Kacyra”).

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single reference which qualifies as prior art under 35 U.S.C. § 102. *Verdegaal Brothers v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Kacyra does not expressly or inherently describe a method that includes viewing a portion (independent claim 1) or all (independent claim 10) of a field of exposure of a selective consolidation system of a programmable material consolidation apparatus.

Rather, the description of Kacyra is limited to viewing an object to generate a three-dimensional digital (computer) model of that object. In this regard, Kacyra discloses a system that includes a scanning laser 210 that scans points of the object 20. Col. 3, lines 53-56. Such scanning is effected in a “field digital vision” (“FDV”) module 10. Col. 3, lines 27-32. Once a digital model has been generated by use of the FDV module 10, the digital model is

converted to a format that is ultimately used by separate, conventional computer-aided design (CAD) tools 50, which reproduce the scanned object. Col. 3, lines 32-36.

As such, it is respectfully submitted that Kacyra does not anticipate “viewing a portion of a field of exposure of a selective consolidation system . . . to identify a location of at least one feature within the field of exposure,” as is required by the method of independent claim 1.

Additionally, Kacyra does not anticipate a method that includes “instantaneously viewing an entire field of exposure of a selective consolidation system . . . to identify a location of at least one feature within the field of exposure,” as recited in independent claim 10.

Furthermore, Kacyra includes no express or inherent description that the conventional CAD tools 50 mentioned therein may comprise a programmable material consolidation apparatus, or that material may be selectively consolidated based on a location of at least one feature within a field of exposure of a selective consolidation system of a programmable material consolidation apparatus. Rather, the description provided at col. 20, lines 56-67, of Kacyra relates to the functionality of an “interactive state-of-the-art computer graphics renderer,” with which a digital model may be manipulated, or portions of the digital model may be selectively viewed.

Therefore, Kacyra does not anticipate “selectively consolidating material based on the location of . . . at least one feature,” as is required by the methods of both independent claim 1 and independent claim 10.

Since Kacyra does not anticipate each and every element of independent claim 1 or independent claim 10, under 35 U.S.C. § 102(b), both of these claims are allowable over the subject matter described in Kacyra.

Claims 2-9 are each allowable, among other reasons, for depending directly or indirectly from independent claim 1, which is allowable.

Claim 5 is further allowable because Kacyra neither expressly nor inherently describes “controlling locations at which . . . selectively consolidating is effected” based on processing of data of data signals to compare a viewed feature with a representation of at least one feature within a field of exposure of a selective consolidation system.

Each of claims 11-23 is allowable, among other reasons, for depending directly or indirectly from independent claim 10, which is allowable.

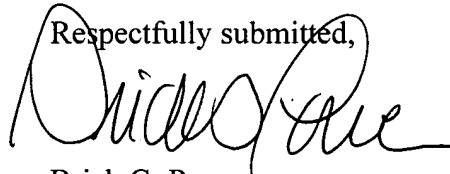
Claim 17 is also allowable since Kacyra includes no express or inherent description of "controlling locations at which . . . selectively consolidating is effected" based on processing of data of data signals to compare a viewed feature with a representation of at least one feature within a field of exposure of a selective consolidation system.

Withdrawal of the 35 U.S.C. § 102(b) rejections of claims 1-23 is respectfully solicited, as is the allowance of each of these claims.

CONCLUSION

It is respectfully submitted that each of claims 1-23 is allowable. An early notice of the allowability of each of these claims is respectfully solicited, as is an indication that the above-referenced application has been passed for issuance. If any issues preventing allowance of the above-referenced application remain which might be resolved by way of a telephone conference, the Office is kindly invited to contact the undersigned attorney.

Respectfully submitted,



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